

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. MJ23-546
)
Plaintiff,)
)
v.) DETENTION ORDER
)
)
HARLAN PHILIP JAMES,)
)
)
Defendant.)

OFFENSES CHARGED IN COMPLAINT

Count 1: Assault with a deadly weapon (firearm), in Indian Country, with intent to do bodily harm.

Count 2: Assault, in Indian Country, resulting in Serious Bodily Injury.

Count 3: Using a Firearm During a Crime of Violence, in Indian Country.

Date of Detention Hearing: November 17, 2023

Note: At the commencement of the Detention Hearing, counsel for the United States advised the court and the defendant and his counsel that the Motion for Detention inadvertently

01 omitted "danger" as an alleged basis for detention.

02 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
03 based upon the factual findings and statement of reasons for detention hereafter set
04 forth, finds that no condition or combination of conditions which defendant can meet
05 will reasonably assure the safety of other persons and the community. The
06 Government did not meet its burden, however, to show that detention was required
07 due to risk of flight.

08
09 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

10 (1) Defendant has a long record of fighting, violence, assault and obstruction, including a
11 conviction in this court. Frequently, these incidents have been associated with abuse
12 of alcohol.

13 (2) He admits to use of many other drugs over a long period of time.

14 (3) He is a member of the Crips gang.

15 (4) While he has frequently failed to appear for scheduled court hearings, there is no
16 evidence he has fled the area to avoid court appearances. He has many family
17 members and other ties to the Lummi Reservation.

18 It is therefore ORDERED:

19 1. Defendant shall be detained pending trial and committed to the custody of the
20 Attorney General for confinement in a correction facility separate, to the extent practicable,
21 from persons awaiting or serving sentences or being held in custody pending appeal;

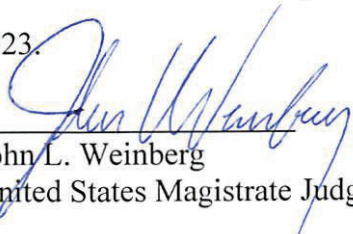
22 2. Defendant shall be afforded reasonable opportunity for private consultation

01 with counsel;

02 3, On order of the United States or on request of an attorney for the Government, the
03 person in charge of the corrections facility in which defendant is confined shall deliver the
04 defendant to a United States Marshal for the purpose of an appearance in connection with a
05 court proceeding;

06 4. The Clerk shall direct copies of this Order to counsel for the United States, to
07 counsel for the defendant, to the United States Marshal, and to the United States
08 Pretrial Services Officer.

09 DATED this 17th day of November, 2023.

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11 John L. Weinberg
12 United States Magistrate Judge
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